



**UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/779,295	02/07/01	CHANG	Y 004728.P043

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IM52/0914

EXAMINER

MAYES, M

ART UNIT

PAPER NUMBER

1734

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DATE MAILED: 09/14/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/779,295

Applicant(s)

Chang et al.

Examiner

Curtis Mayes

Art Unit

1734



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1, 3, 10, and 11 is/are allowed.
- 6) ☒ Claim(s) 2 and 4-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other:

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DETAILED ACTION

Specification

(1)

The disclosure is objected to because of the following informalities: The specification contains numerous misspellings and incomplete and/or unclear sentences.

Appropriate correction is required.

(2)

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: antecedent basis for “scraping” a printed adhesive film, as claimed in Claim 5.

Claim Objections

(3)

Claims 1-11 are objected to because of the following informalities: the claims contain numerous informalities such as missing words which make the claims unclear. Appropriate correction is required.

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Claim Rejections - 35 USC § 112

(4)

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

(5)

Claims 2 and 4-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 claims "so as to poor bonding of CNT layer." This is unclear.

Claim 7 claims "said adhesive film to remove said organic is through ..." This is unclear.

Allowable Subject Matter

(6)

Claims 1, 3, 10 and 11 are allowed.

(7)

Claims 2 and 4-9 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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(8)

The following is a statement of reasons for the indication of allowable subject matter:

The closest prior art of record, Jin et al. 6,250,984, discloses removing excess nanotube particles by brushing, vacuuming or polishing and then provide protruding nanotubes by etching (col. 10, lines 21-44). The prior art of record does not disclose a method of improving the current density of a carbon nanotube emitter source by performing a taping process after forming a CNT layer by screen-printing, performing soft baking and sintering, as claimed.

Conclusion

(9)

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The references disclose making emission devices containing carbon nanotubes.

(10)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Curtis Mayes, whose telephone number is (703) 308-1977. The examiner can be reached between the hours of 7:30 AM and 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino, can be reached on (703) 308-3853.

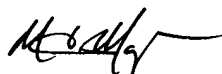
The Official FAX phone number for this Tech Center 1700 is (703) 305-7718.

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The Unofficial Fax phone number is (703) 305-7115.

When filing a FAX in Tech Center 1700, please indicate in the Header (upper right) "Official" for papers that are to be entered into the file, and "Unofficial" for draft documents and other communication with PTO that are not for entry into the file of the application. This will expedite processing of your papers.

The receptionist number for Tech Center 1700 is (703) 308-0661.


CURTIS MAYES
PRIMARY EXAMINER
Art Unit 1734
September 10, 2001